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Request for the inclusion of an additional item in the agenda of the seventieth session

Cooperation between the United Nations and the International Organization for Migration

Letter dated 1 April 2016 from the Secretary-General to the President of the General Assembly

I have the honour to request, pursuant to rule 15 of the rules of procedure of the General Assembly, the inclusion of an additional item, of an important and urgent character, entitled "Cooperation between the United Nations and the International Organization for Migration", in the agenda of the seventieth session of the Assembly.

I propose that the item be considered directly in plenary, without reference to a Main Committee.

In accordance with rule 20 of the rules of procedure of the General Assembly, an explanatory memorandum (annex I) and a draft resolution (annex II) are attached. I have the honour to request that the present letter and its annexes be circulated as a document of the Assembly.

(*Signed*) **BAN** Ki-moon

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Annex I

Explanatory memorandum

I. Current state of the relationship between the United Nations and the International Organization for Migration

1. The purpose of the present memorandum is to explain the importance of including an additional item in the agenda of the seventieth session of the General Assembly entitled "Cooperation between the United Nations and the International Organization for Migration", with a view to concluding an agreement concerning the relationship between the United Nations and the International Organization for Migration.

2. The relationship between the United Nations and the International Organization for Migration has developed gradually over many years. Initially, on 16 October 1992, the General Assembly, by its resolution 47/4, entitled "Observer status for the International Organization for Migration in the General Assembly", decided to invite the International Organization for Migration to participate in the sessions and the work of the Assembly in the capacity of observer.

3. The United Nations and the International Organization for Migration subsequently concluded a Cooperation Agreement on 25 June 1996. In its resolution 51/148 of 13 December 1996, entitled "Cooperation between the United Nations and the International Organization for Migration", the General Assembly, inter alia, took note with satisfaction of the conclusion of the Cooperation Agreement between the United Nations and the International Organization for Migration and invited the Secretary-General to take the appropriate measures to ensure effective cooperation and liaison between the secretariats of the two organizations, and requested him to foster systematic consultations on matters of common interest.

4. Those arrangements have enabled the International Organization for Migration to participate, in the capacity of observer, in meetings of relevant United Nations organs as well as in relevant conferences convened under the auspices of the United Nations. The International Organization for Migration has also been allowed to participate, in the capacity of observer, in United Nations coordination mechanisms such as the United Nations System Chief Executives Board for Coordination and the Inter-Agency Standing Committee through ad hoc arrangements.

5. However, unlike the specialized agencies and related organizations, which have concluded agreements that comprehensively set out the terms of their relationship with the United Nations, the International Organization for Migration has not yet established a relationship with the United Nations of such a broad scope.

II. Recent developments

6. On 24 November 2015, the Council of the International Organization for Migration took an important step forward towards enhancing its relationship with the United Nations. The Council adopted resolution No. 1309, in which it requested the Director General of the International Organization for Migration (IOM) to "formally approach the United Nations to ... develop with it a way in which the

legal basis of the relationship between IOM and the United Nations could be improved".

7. Subsequently, in a letter dated 9 December 2015, the Director General of the International Organization for Migration transmitted resolution No. 1309 to the Secretary-General, and sought advice on the next steps that the Secretary-General considered appropriate.

8. In his letter of reply dated 5 February 2016, the Secretary-General expressed his support for the resolution and outlined options for a closer relationship, including the option of concluding an agreement with the United Nations, to be approved by the General Assembly.

9. In his letter of reply dated 10 March 2016, the Director General of the International Organization for Migration informed the Secretary-General that, based on the discussions within the IOM Working Group on IOM-UN Relations and the IOM Strategy, he was prepared to initiate formal discussions with the United Nations on improving the legal basis of the relationship between the two organizations and to develop an appropriate proposal in the form of a draft relationship agreement "for expedited submission to the current General Assembly".

10. In the same letter, the Director General stated that:

> [S]trengthening the relationship between our organizations has become increasingly important in what is widely recognized as an era of unprecedented human mobility. This has brought greater urgency to include migration and human mobility issues in the multilateral system of the United Nations. In the declaration of the High-level Dialogue on International Migration and Development, adopted by the General Assembly in its resolution 68/4 of 3 October 2013, it was recognized that international migration is a multidimensional reality and a cross-cutting phenomenon requiring close coordination among all organizations, and in particular between the United Nations and the International Organization for Migration. The Assembly will again consider relevant issues of migration on 19 September 2016 during its high-level plenary meeting, when it will address large movements of refugees and migrants.

11. The Director General further stated in his letter that "IOM's Council has decided to pursue the strengthening of the relationship between our two organizations to enhance and make more effective the collective efforts of the international community in providing assistance, advice and support on issues related to migration and human mobility".

12. He then requested the Secretary-General to "facilitate the process on the United Nations side to have this matter of strategic importance to both our organizations taken forward".

13. It is noted that the Council of the International Organization for Migration is scheduled to hold a special session on 30 June 2016, at which it intends to take action on a draft relationship agreement between the United Nations and the International Organization for Migration.

III. Conclusions

14. In light of the above, it is requested that the General Assembly approve the inclusion of an additional item in the agenda of its seventieth session, entitled "Cooperation between the United Nations and the International Organization for Migration", as soon as possible.

15. The General Assembly is also requested to adopt a draft resolution by which the Assembly would invite the Secretary-General to take steps to conclude an agreement concerning the relationship between the United Nations and International Organization for Migration and to submit the negotiated draft agreement to the Assembly for its approval.

16. If the General Assembly was to take the actions described above, the intention of the Secretary-General would then be to negotiate a draft relationship agreement with the Director General of the International Organization for Migration and submit the draft agreement to the Assembly in an expeditious manner, with a view to its approval by the Assembly during the seventieth session.

Annex II

Draft resolution

Cooperation between the United Nations and the International Organization for Migration

The General Assembly,

Recalling its resolutions 47/4 of 16 October 1992 and 51/148 of 13 December 1996,

Recalling also the Cooperation Agreement between the United Nations and the International Organization for Migration of 25 June 1996,

Taking note of the resolution of the Council of the International Organization for Migration, adopted on 24 November 2015, concerning the relationship between the International Organization for Migration and the United Nations,

Taking note also of the letter of the Director General of the International Organization for Migration dated 10 March 2016, in which he informed the Secretary-General of his intention to initiate formal discussions with the United Nations on a draft relationship agreement,

Recognizing the need to establish a closer relationship between the United Nations and the International Organization for Migration,

1. *Invites* the Secretary-General to take steps to conclude an agreement concerning the relationship between the United Nations and the International Organization for Migration and to submit the negotiated draft agreement to the General Assembly for approval;

2. *Decides* to include in the provisional agenda of its seventy-first session the item entitled "Cooperation between the United Nations and the International Organization for Migration".

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